

Application Serial No. 10/523,566  
Reply to Office Action of October 2, 2008

DEC 30 2008 PATENT  
Docket: CU-4079

### Amendments to the Claims

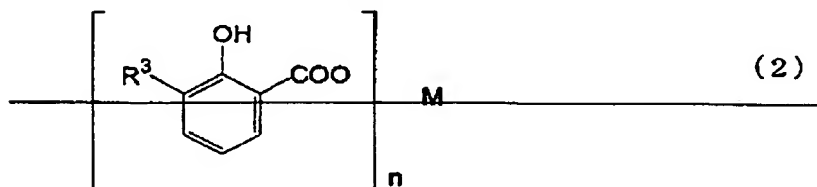
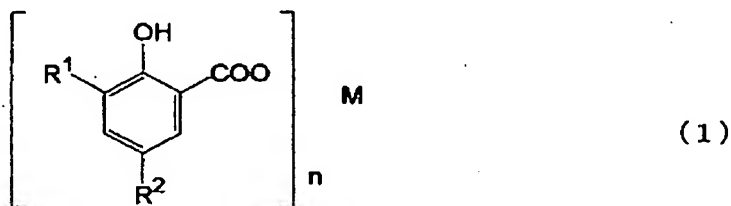
The listing of claims presented below replaces all prior versions, and listings, of claims in the application.

### Listing of claims:

1. (Currently amended) A lubricating oil composition, comprising: a lubricant base oil having a sulfur content adjusted to 0.1% or less by mass; and the following (A) and/or (B) incorporated into the base oil in an amount of 0.005 to 0.5% by mass of the total of the composition, the amount being an amount in terms of the metal element therein:

(A) one or more alkali metal or alkaline earth metal salicylates in which the ratio (or percentage) of a salicylate constituent represented by the following general formula (1) is adjusted to 10% or more by mol, and/or one or more (over)basic salts thereof; and

~~— (B) one or more alkali metal or alkaline earth metal salicylates in which the ratio of one or more monoalkyl salicylate constituents is adjusted to 85% or more by mol and the ratio of a monoalkyl salicylate constituent represented by the following general formula (2) is adjusted to 50% or more by mol, and/or one or more (over)basic salts thereof;~~



wherein either one of R<sup>1</sup> and R<sup>2</sup> in the general formula (1) is an alkyl group which has 10 to 40 carbon atoms, and the other is a hydrocarbon group which has less than 5 carbon atoms (and may contain oxygen or nitrogen); ~~R<sup>3</sup> represents a~~

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~~secondary alkyl group having 10 or more and less than 20 carbon atoms in the general formula (2); and M represents an alkali metal or alkaline earth metal and n represents 1 or 2 in accordance with the valence number of the metal in the general formulae formula (1) and (2).~~

2. (Currently amended) The lubricating oil composition according to claim 1, comprising: the lubricant base oil having a sulfur content adjusted to 0.1% or less by mass; and the (A) ~~and/or (B)~~ incorporated into the base oil in an amount of 0.005 to 0.5% by mass of the total of the composition, the amount being an amount in terms of the metal element therein, wherein the total ratio of the salicylate constituents having the alkyl group at least at the 3-position in all salicylate constituents contained in the lubricating oil is 65% or more by mol.

3. – 4. (Cancelled)

5. (Previously presented) The lubricating oil composition according to claim 1, wherein the total sulfur content of the composition is 0.2% or less by mass.

6. (Previously presented) The lubricating oil composition according to claim 1, which contains no zinc dithiophosphate.

7. (Previously presented) The lubricating oil composition according to claim 1, which does not contain any sulfur-containing additive substantially.

8. (Previously presented) A process for using the lubricating oil composition according to claim 1, comprising at least the step of using conditions wherein the water content in the lubricating oil becomes 200 ppm or more by mass.

9. (Previously presented) A process for using the lubricating oil composition according to claim 1, comprising at least the step of using an internal combustion engine.

10. (Previously presented) A process for using the lubricating oil composition

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according to claim 9, comprising at least the step of using an internal combustion engine wherein the internal combustion engine uses fuel having a sulfur content of 50 ppm or less by mass.

11. (Previously presented) A method for improving the oxidation life of a lubricating oil composition according to claim 2, comprising at least the step of using conditions wherein the water content in the composition becomes 200 ppm or more by mass.

12. (Cancelled)

13. (Currently amended) The lubricating oil composition according to claim 1, wherein either one of  $R^1$  and  $R^2$  in the general formula (1) is an alkyl group which has 10 or more and less than 20 carbon atoms, and the other is a hydrocarbon group which has less than 5 carbon atoms (and may contain oxygen or nitrogen).

14. – 15. (Cancelled)